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10/749,953

12/31/2003

Gennadi I. Fedorov

ROSE ART-40087

8598

7590

10/17/2006

John K. Kim  
McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102

EXAMINER

FERNSTROM, KURT

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/749,953

Applicant(s)

FEDOROV ET AL.

Examiner

Kurt Fernstrom

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/16/05; 11/16/05.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Huff. Huff discloses in Figure 3a and in the specification a panel assembly comprising panel and a frame having a generally annular shape including first and second sections, where the frame includes snap fit devices on the frame sections which allow the panel to be retained between the frame sections.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lavi in view of Huff. Lavi discloses in Figure 1 and in the specification a panel assembly comprising a panel which is retained within a frame. Lavi fails to disclose that the frame has first and second sections which attach together such that the panel is positioned between the sections. Huff discloses in Figure 3a and in the specification a

Art Unit: 3711

panel assembly comprising a panel and a frame having a generally annular shape including first and second sections, where the frame includes snap fit devices on the frame sections which allow the panel to be retained between the frame sections. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Lavi by providing a frame having first and second sections as recited for the purpose of providing for more secure retention of the panel within the frame. With respect to claim 2, the frames of both Lavi and Huff have openings which expose the panel. With respect to claim 3, the panel of Lavi includes a writing surface. With respect to claims 4-6 and 8-12, Huff discloses in Figure 3a and in the specification that coupling members including tabs and mounting holes are provided on each frame section which allow for a snap fit. The various features recited in the claims, including the locations of the mounting members and the notches, are considered to be obvious variations on the disclosed mechanism of Huff, in that they all perform the same function of providing a snap fit attachment of the frame members.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lavi in view of Huff, and further in view of Flodin. Lavi as viewed in combination with Huff discloses all of the limitations of the claims with the exception of the ribs as recited. Flodin discloses in Figure 2 and in the specification a frame having sections which are joined by snap fit, where the coupling members are disposed within two ribs. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Lavi as viewed in combination with Huff by providing ribs as recited for the purpose of limiting lateral movement of the frame members.

Art Unit: 3711

Claims 13 and 14 are is rejected under 35 U.S.C. 103(a) as being unpatentable over Lavi in view of Huff, and further in view of Rosen. Lavi as viewed in combination with Huff discloses all of the limitations of the claims with the exception of the pockets for storing writing utensils. Such pockets are known in the art, as disclosed for example by Rosen. It would have been obvious to one of ordinary skill in the relevant art to modify the device disclosed by Lavi as viewed in combination with Huff by providing pockets as recited for the purpose of allowing a user to store writing utensils.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Seiber, Domina, Sud, Ternovits, Brown and Golston disclose various panel assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Fernstrom whose telephone number is (571) 272-4422. The examiner can normally be reached on M, T, Th 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Kim can be reached on 571 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KF

October 10, 2006



**KURT FERNSTROM**  
**PRIMARY EXAMINER**